

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>5/1/07</u>
--

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
PITBULL PRODUCTIONS, INC.

Plaintiff,

- against -

UNIVERSAL NETMEDIA, INC, et al.

Defendants.
-----X

07 Civ. 1784 (RMB)

ORDER

Upon the record in this case and all prior proceedings, including (i) the Pitbull Productions, Inc. ("Plaintiff") complaint against Alpha Red, Inc, Universal Netmedia, Inc., and John Does 1-10 (collectively, "Defendants"), alleging copyright and trademark infringement of Plaintiff's proprietary images and videos (see Compl. ¶ 1); (ii) the Order to Show Cause signed on March 1, 2007 directing Defendants to attend a conference with the Court related to Plaintiff's application for a preliminary injunction against Defendants (see Order, dated Mar. 1, 2007); (iii) the conference held on March 21, 2007 at which Defendants failed to appear (see Tr. of Proceeding, dated Mar. 21, 2007); (iv) the temporary restraining order ("TRO") against Defendant Universal Netmedia and the individual defendants, dated Mar. 26, 2007; and (v) the April 26, 2007 application by Plaintiff to extend the TRO "until such time as a preliminary injunction hearing may be heard" (Notice of Mot., dated Apr. 26, 2007), **IT IS HEREBY ORDERED THAT**

(i) the TRO dated March 26, 2007 will remain in effect until May 9, 2007;

(ii) the parties shall appear for a hearing on Plaintiff's application for a preliminary injunction on May 9, 2007 at 10:45 a.m. in Courtroom 14A at the Daniel Patrick Moynihan U.S. Courthouse, 500 Pearl Street, New York, New York;

(iii) Plaintiffs shall serve a copy of this order on Defendant Universal Netmedia and upon individual defendants on or before Thursday, May 3, 2007;

(iv) any written responses to Plaintiff's application for a preliminary injunction shall be served and filed by Defendant Universal Netmedia and/or by individual defendants on or before Monday, May 7, 2007 with a courtesy copy simultaneously delivered to chambers.

Defendants are notified and advised that default in complying with the Court's directives may result in an injunction against them restraining them from infringing upon Plaintiff's lawful copyrights and trademarks, and any violation of such injunction may be found to be civil contempt and lead to sanctions.

The parties are further directed to negotiate in good faith towards reaching a settlement prior to the May 9, 2007 hearing.

Dated: New York, New York
May 1, 2007

A handwritten signature in black ink, appearing to read 'RMB', is positioned above a horizontal line.

Richard M. Berman, U.S.D.J.